

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

STATE OF TEXAS,	:	
	:	
<i>Plaintiff,</i>	:	Civil Action No. 6:21-cv-0003
	:	
v.	:	
	:	
The UNITED STATES OF AMERICA,	:	
et al.,	:	
	:	
<i>Defendants.</i>	:	
	:	

**UNOPPOSED MOTION BY ADVOCATES FOR VICTIMS OF ILLEGAL ALIEN
CRIME FOR LEAVE TO FILE AMICUS BRIEF IN SUPPORT OF PLAINTIFF
AND A PRELIMINARY INJUNCTION**

The Advocates for Victims of Illegal Alien Crime (“AVIAC”) respectfully request this Court’s permission to file an amicus curiae brief in support of the State of Texas’s motion for a preliminary injunction. Plaintiff, the State of Texas, is seeking an injunction against a Department of Homeland Security (DHS) policy decree “directing an immediate pause on removals of any noncitizen with a final order of removal (except as noted below) 100 days” which violates the Congressional mandate, which is “when an alien is ordered removed, the Attorney General *shall* remove the alien from the United States within a period 90 days.” 8 U.S.C. § 1231(a)(1)(A)(*emphasis added*). Defendants, the United States of America (USA) et al, policy has widespread national implications for Texas and the public at large, including citizens in Texas. A country’s first duty is towards its citizens; not illegal aliens.

Advocates for Victims of Illegal Alien Crime (“AVIAC”) is an advocacy organization founded and led by individuals with several members, including Texans, who have lost family members because of crimes committed by illegal aliens. AVIAC’s mission is to be both a source of support for such victims, across the country, including Texas, and an advocate for policies that will enforce the nation’s immigration laws and prevent government actors from sheltering illegal aliens, particularly criminal aliens, from deportation. AVIAC therefore takes an interest in the case at bar challenging government action that frustrates the enforcement of immigration laws to the detriment of crime victims.

“The extent, if any, to which an amicus curiae should be permitted to participate in a pending action is solely within the broad discretion of the district court.” *Sierra Club v. Fed. Emergency Mgmt. Agency*, 2007 WL 3472851, at *1 (S.D. Tex. Nov. 14, 2007) AVIAC believes that its proposed amicus brief will assist this Court in deciding the issues before it. The proposed amicus brief is attached and proposed amicus respectfully requests that this Court grant them leave to file it.

Date: February 8, 2021

Respectfully submitted,

By: /s/ Walter S. Zimolong, Esq.
Walter S. Zimolong, Esquire
Zimolong, LLC
P.O. Box 552
Villanova, PA 19085
(215) 665-0842
wally@zimolonglaw.com

and

/s/ Lorraine G. Woodward, Esq.

Lorraine G. Woodward, Esquire
Attorneys United for a Secure America
(AUSA)

25 Massachusetts Avenue NW, Ste 335

Washington, D.C. 20001

(202) 591-0962

LWoodward@IRLI.org

Attorneys for Amicus Curiae

*Advocates for Victims of Illegal Alien
Crime (AVIAC)*